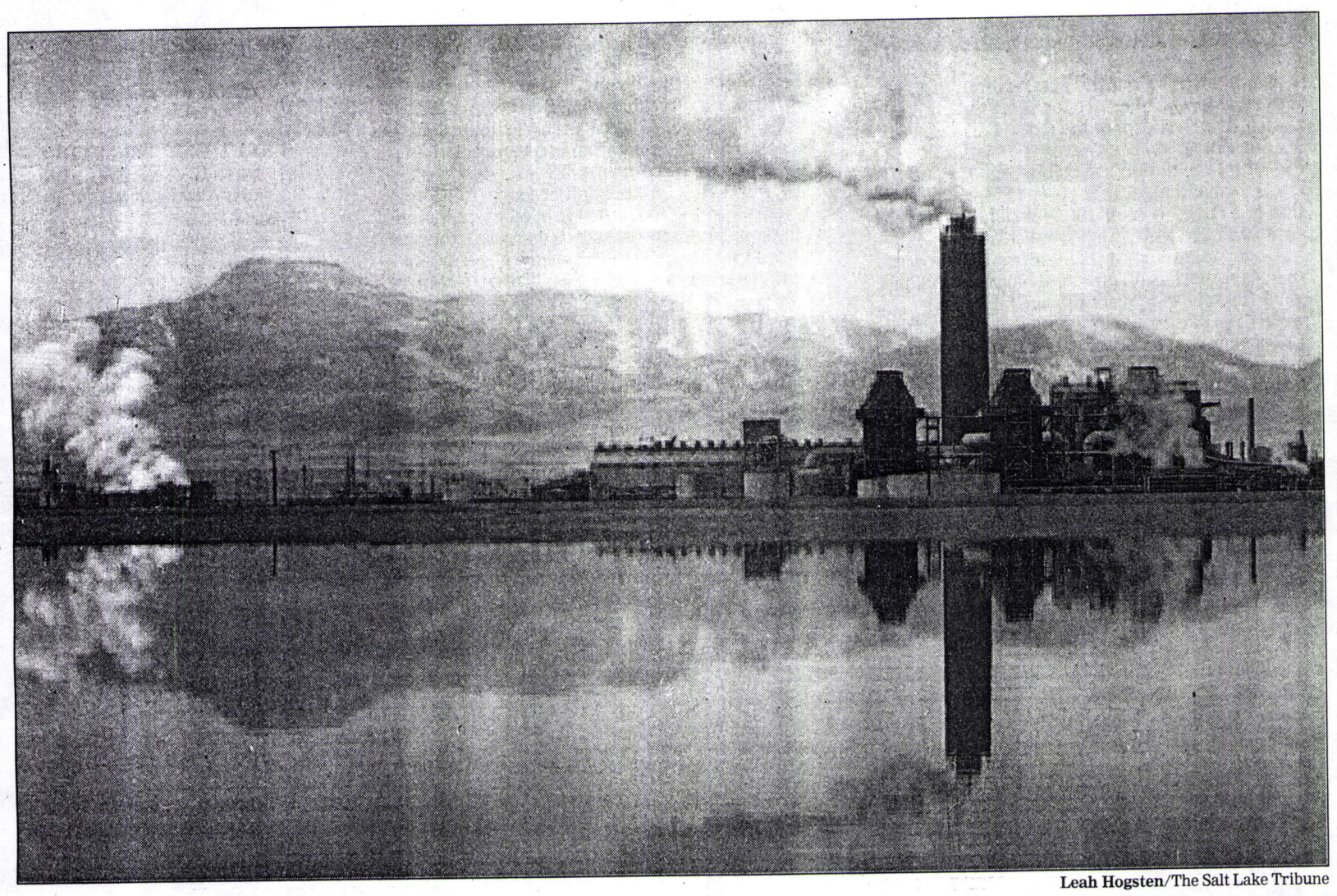
The Salt Lake Tribune
http://www.sltri
Utah's Independent Voice Since 1871
Volume 261 Number 125
SUNDAY, FEBRUARY 18, 2001

M/045/008

ON A CLEAR DAY . . .



Leah Hogsten/The Salt Lake Tribune

The Magnesium Corporation of America plant on the Great Salt Lake for decades has released tons of toxic gases into the western Utah air, making it the nation's worst polluter. The firm now says it can clean up its emissions and improve profitability in the process.

A Breath of Fresh Air?

After 30 years of controversy, MagCorp agrees to reduce toxic emissions

BY JUDY FAHYS

Magnesium Corporation of America, notorious as the nation's worst toxic polluter, will soon switch on new equipment that promises to cut toxic emissions to a point the company's name will drop from the nation's Top 10 toxic polluter list.

Many residents of Tooele County say the improvements are long past due. And they fear they will never know the health cost they may have paid over the nearly three decades MagCorp was permitted to spit hundreds of millions of pounds of toxic substances into the air.

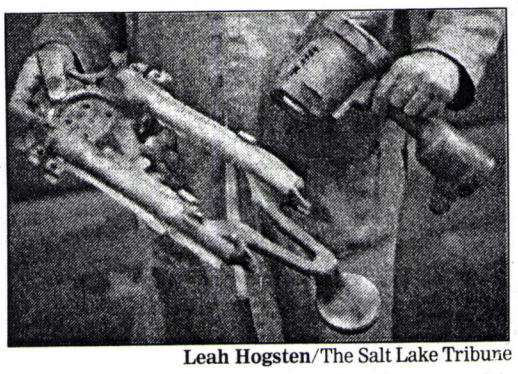
Even MagCorp acknowledges its new emissions-control equipment was not dictated by environmental regulators. It was money — not government — that prompted them.

"The new technology will not only allow us to clean up the environment, but also make the plant more efficient, bring some cost-benefit values," said plant manager Tom Tripp.

Environmental laws never have been a big motivator for MagCorp, which, partly by chance and partly by design, has eluded much of the government supervision that drove other industries to clean up their acts.

For 28 years, the refinery on the western edge of the Great Salt Lake has produced magnesium, a strong yet flexible metal used in everything from aluminum cans to autos. And, until now, the company, which employs 500 workers, has topped the national list of toxic polluters because of the tons of chlorine its smokestacks spew into the air.

The plant's neighbors, though happy the pollution will be cut, take offense that the company's elusive owner, a New York billionaire, didn't long ago channel some of the plant's $150 million in annual revenue into making it run cleaner. They also wonder why regulators failed to step in with tighter controls years before MagCorp initiated them.



Leah Hogsten/The Salt Lake Tribune

Bicycle shock absorbers and nail-gun moldings are just a few of the industrial products that use Utah-produced magnesium.

"I can't understand how MagCorp got away with it for so long," said Sandy Covello, a Grantsville residential real estate agent.

Covello spent much of her daughters' youth trying to shield them from the chlorine fogs that sometimes settle in her town, 24 miles from the magnesium refinery. She also has wondered what MagCorp's emissions might have done to their bodies, considering how the stuff blisters the paint on cars parked in the refinery lot day after day.

"It's a health issue," Covello said, "and we're right next to it."

Utah, like most states, has assumed responsibility for carrying out the federal Environmental Protection Agency's clean air program. But state regulators haven't been in a position to force pollution cuts. Utah lawmakers crimped the Department of Environmental Quality's (DEQ) authority in 1991 by barring state environmental standards from being stricter than federal ones.

Lacking direction from the EPA or proof that the pollution endangers health, DEQ was confined to limiting MagCorp's pollution through its operating permit. "There just wasn't any regulatory authority for us" to be tougher, DEQ's Rusty Ruby said.

The EPA hasn't gotten around to forcing pollution cuts, either.

For about a decade, it has chipped away at its list of chemicals and companies most in need of regulation. Chlorine and hydrogen chloride, the two toxins behind MagCorp's top-polluter status, were too far down the agency's list.

A common chemical used to disinfect drinking water and swimming pools, chlorine in small amounts has not been linked to health problems. Exposure to higher levels

See MAGCORP, Page A-5

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Games sponsor on
like those mad- ag

BY LINDA FANTIN

BROOKLYN, New York — key prosecution witness in the Sa Lake bribery trial was once a cused of the same crimes the go ernment has leveled against To Welch and Dave Johnson.

His name is Sead Dizdarev and he's in charge of selling t best seats to Salt Lake's Olympic

If you've never heard of him, surprise. The Bosnian-born trav agent caters almost entirely to ri people. He snaps up extra ticke from sponsors, Games organize and foreign Olympic committe and resells them along with ho rooms and other amenities f huge profits. And until recently, conducted his business throu the back door.

Buried in a Brooklyn cou house, court transcripts from 1997 civil case describe how D darevic does business.

"My clients, your honor, a very unique," said Dizdarev whose palatial office is in N Jersey. "We have an unlist phone number. We're not listed Dunn & Bradstreet. We are ve

Gay Marria
May Be Ine

BY GREG BURTON

Jane Marquardt is a newlyw She and her spouse share l names, health insurance a household chores. Like many their Ogden neighbors, each of t Marquardts work and enjoy t company of their friends a grown children.

Unlike their neighbors, both t Marquardts are brides.

Jane and her spouse, who ask not to be named, are one of at le three gay Utah couples who ha visited Vermont since July, wh the state became the first to rec nize same-sex couples in a hyb legal status called civil union.

A judge in Newfane, Vt., ce fied the Marquardts' union. Wh they returned to Utah, a Wel County judge granted a legal na change.

Today, the Marquardts av themselves of virtually every le benefit allotted other marr

As Week 2 Opens, World's Top Athletes Also Undergo Behind-the-Scenes Tests

BY CHRISTOPHER SMITH

how the world perceives this

like New York and Los Angeles, intercepting performance-

blood's oxygen-carrying ability, is the drug of choice for Winter

M/045/008

MagCorp: Firm Says It Is Cutting Emissions

■ Continued from **A-1**

can irritate the eyes, nose and throat. Breathing high concentrations can be fatal.

High concentrations of hydrogen chloride burn tissue, such as the respiratory system, and irritate the skin. Less is known about its impacts in low concentrations.

Even though the two chemicals are dangerous enough to be on EPA's toxics list, the agency has placed no upper limits on emissions. MagCorp is the only U.S. company that releases chlorine in such large amounts — 57 million pounds in 1998.

Two Tooele County health studies have shown no scientifically valid cause and effect between the toxins and human health. And a study conducted in 1995 by the Utah Health Department concluded cancer rates in Grantsville were comparable to other areas of the state.

Still, skepticism about the health effects remains.

After the 1995 study, some citizens mounted their own door-to-door examination. Their admittedly amateur study found twice as much cancer as the state average.

They also noted roughly one in five Grantsville residents had a serious illness, based on a count of multiple sclerosis, lupus, chronic fatigue syndrome, respiratory diseases and other health complaints.

About two years ago, MagCorp's plant was found to have dioxins, an unintended byproduct of combustion. Follow-up tests on brine shrimp, brine flies and surrounding land have shown normal, "background" levels of dioxin, and the results have persuaded regulators the toxins are not dispersing in the air.

(The EPA has sued MagCorp over dioxin and other toxics that have been found in high concentrations on the ground outside the plant in a regulatory action unrelated to the toxic emissions.)

Concern about MagCorp's toxic releases has extended outside Utah. In 1991, Northwest National Life Insurance dropped Utah from first to 26th place on its "healthiest population" list because it began factoring in environmental hazards.

"People can make healthy choices and still be sick over time just because of the environment in which they live," a Northwest spokesman said.

More recently, the U.S. Public Interest Research Group pointed to doctors' findings that chemical pollution harms child development and learning. USPIRG said authorities should monitor links between toxins and such childhood disorders as autism and birth defects the same way it tracks heart disease and the West Nile Virus.

Even if such in-depth studies were undertaken, it might be hard to figure out where to place the blame for health problems in Grantsville. The town is surrounded by two chemical-weapons incinerators, a bombing range, a proving ground for chemical and biological warfare testing, a commercial hazardous-waste incinerator, a hazardous-waste landfill and a low-level radioactive-waste landfill.

"You can blame it on anything," said Covello, who helped conduct the citizens' health study.

A few factors suggest how MagCorp could release so much pollution without noticeable harm.

One is distance. "That's the redeeming feature of that plant," said DEQ's Bruce Allen, "that it's so far away."

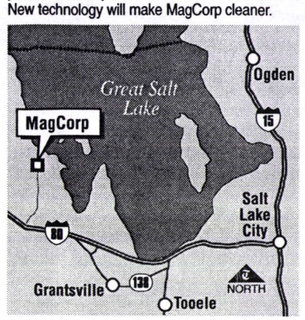
Wind Factor: Wind is another factor. Most days it blows from south to north, from Grantsville toward the magnesium plant. That means pollutants typically drift away from the populous Wasatch Front. Said Steve Packham, a DEQ toxicologist: "We don't think it is coming into the Wasatch."

Another mitigating factor is that chlorine gas released from MagCorp remakes itself, once it combines with air, into innocuous gases barely measurable in Grantsville.

DEQ tracked chlorine over 16 months in 1996, but recorded detectable levels during just 26 of the 8,000 hours the monitors gathered data. And the highest-ever traces of chlorine in Grantsville were about 1/25th the workday exposure levels allowed by health regulators. The state got similarly low results with its hydrogen chloride tests.

Cutting Pollution

The MagCorp refinery, about 24 miles from Grantsville and 65 from SLC, released 57 million pounds of toxic pollutants into the air in 1998. New technology will make MagCorp cleaner.



Mike Miller/The Salt Lake Tribune

Delbert Eataugh, a Brigham Young University air pollution expert, said it is understandable, given exposure results like these, that government has not rushed to clamp down on MagCorp.

"The bottom line is, nobody knows" how MagCorp has affected the environment, he said.

Nevertheless, some Grantsville residents don't need sophisticated chemical tests to know the plant's pollution permeates their community. The chlorine stench can get so strong the streets smell like laundry bleach and skin gets red and itchy, many say.

Bad Cough: "Sometimes you just don't go outside, it gets so bad," said Grantsville resident Louise Flores, who while working at the plant in the 1980s developed a cough she has to this day.

Another regulatory loophole might help explain episodes like these. MagCorp's state permit allows the company to pollute at higher-than-usual levels when its air-scrubbing system is down.

Since 1989, DEQ has levied eight fines against MagCorp totaling $265,000 for exceeding allowable pollution levels. But the company beat back the state's best effort to tighten its "unavoidable breakdown" provision in a landmark appeal in 1992. After breaching allowable emissions nearly two dozen times over a year, MagCorp got a $260,000 fine. The company eventually convinced the state Court of Appeals that Utah was being tougher than the permit allowed, and the court slashed the fine.

Partly as a result of that ruling, MagCorp can legally step up its toxic air pollution for weeks at a time. For instance, for six weeks in 1997 while the company refurbished its pollution-control equipment, the state allowed toxic emissions 15 times the normal levels. Regulators asked the company to provide backup pollution control at the time but allowed MagCorp to ignore those curbs if they cost too much.

"They aren't doing anything that other companies with the opportunity wouldn't do," said Kathy Van Dame, a member of the Wasatch Clean Air Coalition, a dogged critic of MagCorp.

Pointing to the state air-pollution permit, MagCorp's plant manager rejects the notion his company has gone regulation-free. "To characterize this as being under the radar would not be accurate," Tripp said. "We've been regulated."

The EPA is just now writing pollution control standards for MagCorp. Under a 1990 update of the Clean Air Act, Congress directed the agency to make industrial polluters use anti-pollution technology at least as good as that used by the 10 cleanest companies in each industry.

Because MagCorp's way of processing magnesium is unique, there were no other U.S. companies to help set the standard. So in effect, the company set its own standard. The Utah refinery landed at the bottom of EPA's to-do list while the agency tackled more pressing problems, such as drawing up standards for the thousands of chemical companies and petroleum refineries spewing toxins into populated areas of the nation.

"We did the best we could with the information we had," said EPA's Doug Bell, whose staff plans to set MagCorp's pollution controls by the end of next year.

MagCorp — only coincidentally — set environmental improvements in motion about 10 years ago when confronted by competition from foreign magnesium producers. Its main concern was making magnesium more affordable, although Tripp said there were "some environmental motivations."

"We knew we were going to face these regulations anyway," the plant manager said.

Grantsville activist Chip Ward is pleased with the improvements but grouses that the company simply chose to pollute all these years. He points to MagCorp's owner, Ira Rennert, who has been vilified for buying dirty companies and siphoning profits into a family trust.

Many Interests: Rennert's companies include an Ohio steel mill, a Missouri lead mine and 13 coal mines in Britain. And, according to recent EPA documents, Rennert has left MagCorp $14 million in the red after sucking its profits into the parent company.

Meanwhile, he has used profits from his $2.5 billion conglomerate to build a mansion on New York's Long Island that is twice the size of the White House, has 39 bathrooms, a 100-car garage and a theatre that seats 164.

"A selfish man chose a massive mansion for himself over clean air for all of us," said Ward in his book *Canaries on the Rim*.

What would it take to learn how MagCorp has affected the community?

One regulator would place monitors just outside MagCorp's fence to learn more about the air quality immediately surrounding the plant. Another would test MagCorp employees for toxins. Citizen critics want to know if cancer-causing PCBs or ozone-producing emissions might be connected to MagCorp.

Packham, the state toxicologist, estimates it would cost hundreds of thousands of dollars. "It's just a matter of justifying the money and the political capital," he said.

Others are more skeptical.

"We will never really understand the impacts," said Ward, "because we didn't know what was happening to begin with."

Cleaner, Safer System Cuts Energy Draw, Too

BY JUDY FAHYS
THE SALT LAKE TRIBUNE

Cost savings, cleaner air and a jump on environmental regulations make the improvements at Magnesium Corporation of America a welcome addition to the community.

The $45 million upgrade will use about a third less energy when fully operational by year's end. Meanwhile, the plant's chlorine output is expected to plummet below 10 million pounds — a jaw-dropping 90 percent reduction that will allow MagCorp to drop from the nation's Top 10 list of toxic polluters.

This will be accomplished by updating the plant's electrolytic cells — cauldrons in which magnesium chlorine scooped from the Great Salt Lake is divided into magnesium and chlorine.

Most of the chlorine vacuumed from the molten metal is cleaned, cooled and pressurized into liquid. MagCorp sells about 10,000 tons of it a year, or enough to fill 110 rail cars.

The metal extraction in the new cells takes place in completely sealed containers, while the old process used air to help capture chlorine.

MagCorp says the system will be safer for workers, who endure hell-hole conditions in the cavernous melting bays during summertime shifts. And it will cut electric-power costs by about a third — a lot considering it uses enough electricity to power a city nearly the size of Ogden.

Some 45,000 dry tons of magnesium, enough to fill 450 railroad cars, are pressed each year into ingots of pure metal or pure alloy.

The metal gives aluminum the strength it needs to hold a shape, in beverage cans, for instance. It lends lightness to metals used in such products as car parts, mountain bike shock casings and nail guns. It makes steel flexible enough for a steering wheel to bend in a car crash.

State and federal regulators, along with the plant's neighbors, applaud the improvements. Al Vervaert, whose staff at the Environmental Protection Agency is developing guidelines for MagCorp, said the changes will bring MagCorp well within the pollution controls regulators have in mind.